

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**ENOCH SMITH (a.k.a., "Rudy Slack"),
et al.,**

Defendants.

Case No. 05-cr-30133-07-DRH

ORDER

HERNDON, District Judge:

Before the Court are two pretrial motions filed by defendant Enock Smith (a.k.a., "Rudy Slack"): Defendant's Motion for Disclosure of Government Evidence Offered Pursuant to Federal Rule of Evidence 404(b) (Doc. 275) and Defendant's Motion for Disclosure of Expert Testimony (Doc. 276). Although the time period allowed for the Government to Respond has not yet expired, because of the upcoming trial date of January 22, 2007, and because Defendant is entitled to such information pursuant to **Federal Rule of Criminal Procedure 16**, the Court **GRANTS** both Motions (Docs. 275 & 276).

Accordingly, the Government is hereby **ORDERED** to:

- (1) Disclose and provide to defendant Smith's attorney any and all evidence the Government intends to offer under **Federal Rule of Evidence 404(b)** by **Friday, January 5, 2006** (and maintain

future compliance with the Rule); and

- (2) Pursuant to **Federal Rule of Criminal Procedure 16(G)**, to provide defendant Smith's attorney with a written summary, by **Friday, January 5, 2007**, of any testimony it intends to use in its case-in-chief at trial under the **Federal Rules of Evidence 702, 703 or 705**.

IT IS SO ORDERED.

Signed this 29th day of December, 2006.

/s/ David RHerndon
United States District Judge